

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
Eming et al.)	Att. Dkt.: 3030-101
)	
Appl. No.: 10/506,893)	Examiner: Christine J. Saoud
)	
I.A. Filing date: March 6, 2003)	Group Art Unit: 1647

For: ***PROTEOLYSIS RESISTANT ACTIVE VEGF***

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement of September 28, 2006, applicants provisionally elect, with traverse, Group I. Claims 1 to 15 are drawn to the elected invention.

As this application is the U.S. national stage of international application PCT/EP03/02289, applicants respectfully traverse the restriction requirement and request reconsideration. In particular, applicants submit that the Action of September 28, 2006 did not analyze the claims according to 37 CFR §1.475 as appropriate for a national stage application. Thus, it appears that the existence of a common special technical feature such as, e.g., VEGF variants, has not been considered (see also MPEP §1893.03(d)).

No fee is believed to be due. However, the Commissioner is authorized to charge deposit account no. 50-3135 as required for consideration of this submission.

Respectfully submitted,

/Joyce v. Natzmer/
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Monday, October 30, 2006